

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	4:19-CR00211 RLW
	)	
TREMAINE SILAS,	)	
	)	
Defendant.	)	

**DEFENDANT'S SENTENCING MEMORANDUM**

COMES NOW the Defendant Tremayne Silas, by and through his attorney, Cira R. Duffe, and provides the Court with the following information in support of the parties' joint request for a sentence of 216 months in the Bureau of Prisons.

Title 18, United States Code, Section 3553(a) states that the "Court shall impose a sentence sufficient, but not greater than necessary, to comply with the purposes set forth in paragraph (2) of this subsection. Paragraph 2 sets forth the following purposes:

- (a) To reflect the seriousness of the offense, to promote respect for the law, and to provide just punishment for the offense;
- (b) To afford adequate deterrence to criminal conduct;
- (c) To protect the public from further crimes of the defendant;
- (d) To provide the defendant with needed educational or vocational training, medical care, or other correctional treatment in the most effective manner.

The jointly requested sentence of 216 months would comply with the purposes set forth in Title 18, United States Code, Section 3553(a)(1) and (2).

**I. A 216-Month Sentence Adequately Reflects the Seriousness of the Offense and Provides Just Punishment.**

There is no dispute that the facts of this case justify a 216-month sentence. There is no crime more serious than murder. A sentence of 216 months is a significant sentence that will result in the Defendant being confined in the Bureau of Prisons. A sentence of 216 months ensures that the Defendant remains in custody until he is nearly fifty years old, after which he is subject to supervised release. A 216-month sentence sends a clear message that murder is taken seriously and punished severely.

**II. A 216-Month Sentence Promotes Respect for the Law**

The parties are aware that the Court can impose any sentence within the statutory range of punishment after considering the United States Sentencing Guidelines and Title 18, United States Code, Section 3553(a). However, the United States would be remiss if it did not highlight that the United States and the Defendant are in the best position to weigh the relative risks and benefits of a trial versus a plea agreement. When the parties' evaluation of those risks results in a plea agreement with a joint sentencing recommendation, the Court's imposition of that recommended sentence promotes respect for the law and the criminal justice system. The parties and the community will believe the law and the criminal justice system is just and fair, leading to greater trust and respect for the law and the criminal justice system.

**III. The Need for Adequate Deterrence Justifies a 216-Month Sentence.**

The need for adequate deterrence further justifies a 216-month sentence. *See* Title 18, United States Code, Section 3553(a)(2)(b) and (c). The Defendant's crimes are serious and deserve a serious sentence to deter the Defendant and others from committing future acts of violence.

A sentence of 216 months is a lengthy sentence and is far more time than the Defendant has previously served. As indicated above, the Defendant would be nearly fifty years old when released, if sentenced to 216 months. As such, the Defendant believes a 216-month sentence provides adequate deterrence.

#### **IV. A Sentence of 216 Months Protects the Public**

The investigation into this case was long and complex. Law enforcement interviewed a multitude of witnesses.

By jointly requesting a sentence of 216 months, the United States was able to secure the Defendant's guilty plea. The Defendant's guilty plea avoided the time, cost, and risks associated with a trial and provided security and safety to the witnesses who spoke to law enforcement. The Defendant's guilty plea provided those witnesses the peace of mind that they do not have to come to court and risk being exposed and being subject to retaliation for their participation. The parties jointly requested sentence of 216-months protects witnesses from many of the risks associated with having provided information to law enforcement or from testifying in a trial.

Additionally, the parties believe a sentence of 216 months protects the general public. As discussed, the Defendant will remain incarcerated for 18 years and will not be eligible for release until he is nearly fifty years old at which age Defendant poses a significantly lesser risk to the community.

WHEREFORE, the Defendant joins the government in requesting a sentence of 216 months, as the Defendant agrees 216 months is a sentence sufficient, but not greater than necessary, to comply with the factors outlined in Title 18, United States Code, Section 3553(a) and in considering the provisions of the United States Sentencing Guidelines.

Respectfully submitted,

/s/ Cira R. Duffe

Cira R. Duffe, #49506MO  
101 E. Columbia Street  
Farmington, MO 63640  
(573) 756-8082

*Attorney for Defendant*

**CERTIFICATE OF SERVICE**

I hereby certify that on February 1, 2023, the foregoing was filed electronically with the Clerk of the Court and all counsel of record for the Government.

/s/ Cira R. Duffe

CIRA R. DUFFE, #49506MO

Attorney for Defendant